

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. On October 20, 1999, following the last hearing in Fair Hearing No. 15,987, but before the Board had considered the matter, the Department sent the petitioner a notice that effective November 1, 1999, sanctions were being imposed on her

ANFC grant. The petitioner promptly appealed this decision, and a hearing was scheduled before the hearing officer on November 17, 1999.

3. The petitioner did not appear at the hearing. On that date the Department represented to the hearing officer that it had rescinded the notice of October 20, and sometime shortly after November 1 had paid the petitioner her ANFC grant for November without any sanctions. The Department admitted that its notice of October 20, 1999 had been premature in that the Board had not yet issued its decision in Fair Hearing No. 15,987, and that the petitioner had been entitled to continuing benefits until the parties received notification of the Board's decision in that case.

4. On November 30, 1999, the petitioner notified the Board that she wanted to reschedule her appeal in the instant Fair Hearing.

5. Another hearing was held on December 29, 1999. The petitioner admitted at that time that the Department had reinstated her ANFC for November, 1999, and had not implemented the Board's decision in Fair Hearing No. 15,987 (dated November 17, 1999) until December 1, 1999.

ORDER

The petitioner's appeal is dismissed as moot.

REASONS

Once the Department rescinded its notice of October 20, 1999, and reinstated the petitioner's ANFC grant pending notification of the Board's decision in Fair hearing No. 15,987, the petitioner had no ongoing grievance regarding that notice upon which the Board could grant relief.¹ Therefore, the petitioner's appeal must be dismissed.

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¹ The petitioner alleges that while the instant appeal was pending she incurred bank charges when she overdrew the account into which her ANFC checks are automatically deposited. Whether or not the Department is liable for those charges because of any delay in depositing the petitioner's November 1 ANFC payment is the subject of yet another pending Fair Hearing requested by the petitioner later in November, 1999.